

105.1800

DT/Gibson, Sipel

100

Tuesday, he noticed in the morning that the horse was unable to get on its feet, and before night it died. He again notified Knouth, and he promised to send out a man to remove the horse. However, he did not do so on Wednesday, and on Thursday night Sipel again came to New Brunswick and saw Knouth, and explained to him that the animal should be removed at once, as it was becoming a menace to health. Knouth told him that he could not send down for it right away, and the best thing for him to do would be to bury it. When Sipel informed Knouth that he could not bury the animal, Knouth told him that he knew where he could get a man who would do so, and they went together to some saloon in New Brunswick where Knouth entered and brought out a man who said he would bury the horse for \$3.00. Knouth agreed to accompany Sipel to the farm and talk to Mrs. Russell about the horse. Sipel was driving a two seated machine, with a delivery back, and when the man who was hired to bury the horse saw that he had to sit in the rear, he went into the saloon and borrowed a chair. They then proceeded to the Sipel farm, and then he and Officer Knouth drove over to Mrs. Russell's place, arriving there as he fixes the time to be about 9.15 P. M. They looked around the house and could find no one there. The doors and the windows were closed. (When questioned on the absence of Mrs. Russell at this time Sipel says that he could not swear whether or not Mrs. Russell might have been in the house and kept out of sight to avoid meeting the officers). Not finding Mrs. Russell, Sipel and the officer drove to New Brunswick where they endeavored to find Justice of the Peace Flammer, for the purpose of making a complaint against Russell. They were unable to find him, and as they were starting back Sipel had some tire trouble. He then proceeded to make the necessary repairs and Officer Knouth left him at Bound Brook and returned to New Brunswick by bus. Sipel after completing the repairs, drove back to his farm and when he arrived there could see that his man was still at work burying the horse, so he again drove up to Mrs. Russell's cabin, arriving there as he claimed about 10.30 P. M. He blew the horn of his automobile to attract the attention of Mrs. Russell but received no answer from her. He says the door was closed at the time and he did not go out of his machine and go in and around the place to determine whether or not she was there. He then drove back to his farm, and found that the workman had finished burying the horse, and on his way back in some way jarred his machine in such a way as to short circuit his lights, and he could not find out where the trouble was. He had agreed to drive the workman back to New Brunswick, and endeavored on account of the condition of his lights, to get the man to go back by bus. However, as he had the chair with him that he borrowed from the saloon, Sipel finally agreed to drive